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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/767,214	01/27/2004	Mark A. Etter	PTG 02-121-5

23531  
 SUITER WEST PC LLO  
 14301 FNB PARKWAY  
 SUITE 220  
 OMAHA, NE 68154



CONFIRMATION NO. 2579  
 FORMALITIES LETTER



\*OC000000012950430\*

Date Mailed: 06/15/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$266 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1166 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$266

08/02/2004 MAHME1 00000039 194882 10767214

01 FC:1001	770.00 DA
02 FC:1051	130.00 DA
03 FC:1201	86.00 DA
04 FC:1202	180.00 DA

- \$86 for 1 independent claims over 3.
- \$180 for 10 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**PATENT**

Attorney Docket N<sup>o</sup>: PTG 02-121-5

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Mark A. Etter et al.  
Serial N<sup>o</sup> : 10/767,214  
Filed : January 27, 2004  
Group Art Unit : 2173  
Examiner :  
For : **POWER TOOL CONTROL SYSTEM**

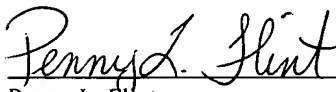
MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION**

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**CERTIFICATION UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service on July 27, 2004, in a First Class envelope, with sufficient postage thereon, addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Penny L. Flint

DATE: July 27, 2004

Applicant responds to the *Notice to File Missing Parts of Application* dated June 15, 2004, in reference to the above application for patent as follows:

1. A *Combined Declaration and Power of Attorney In a Patent Application* is attached.
2. The Commissioner is hereby authorized to charge Deposit Account 19-4882 in the amount of **\$1,166.00** to cover the surcharge and filing fees in response to the *Notice to File Missing Parts*. A duplicate copy of this *Response* is enclosed for accounting purposes.

3. The Commissioner is hereby authorized to grant any needed extension of time and to charge any additional fees which may be required for this *Response*, or credit any overpayment to Deposit Account N° 19-4882.
6. A copy of the *Notice to File Missing Parts of Application* is attached herewith.

Please direct all correspondence to: **CUSTOMER NO. 23531**

SUITER • WEST PC LLO  
14301 FNB Parkway, Suite 220  
Omaha, NE 68154-5299  
(402) 496-0300 (Telephone)  
(402) 496-0333 (Telecopier)

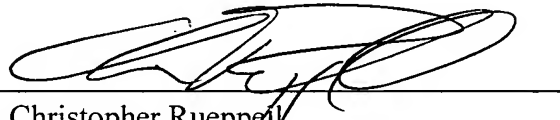
DATED: July 27, 2004.

Respectfully submitted,

Mark A. Etter et al.,

Delta International Machinery Corp.,

By



R. Christopher Rueppel

Reg. N° 47,045